

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

In re:

Chapter 13

Case No.: 17-36400

Michael J. Egiziaco,

Debtor.

-----X

**ATTORNEY'S DECLARATION IN OPPOSITION TO
CALIBER HOME LOANS, INC.'S OBJECTION TO CONFIRMATION**

Francis J. O'Reilly, an attorney at law admitted to practice in the Southern District of New York, declares:

1. I represent the debtor in this action.
2. I have reviewed the objection of Caliber Home Loans, Inc. to the confirmation of the debtor's plan.
3. The objection states that U.S. Bank objects to confirmation of the debtor's proposed Chapter 13 Plan because the plan is insufficient to cure the full pre-petition mortgage arrears owed to U.S. Bank.
4. In spite of the contention of the objectant, U.S. Bank is not listed as a creditor, Caliber Home Loans is the mortgage creditor. The objectant has failed to provide a servicing agreement or any proof otherwise of its standing to object.
5. Further, the objectant makes bare and unsubstantiated allegations that the debtor's plan is insufficient to cover the arrearages due to the debtor.
6. The objection filed by the creditor is devoid of any allegation of any amount whatsoever that is in arrears from the debtor to Caliber Home Loans, Inc.

7. All that has been provided is a bare allegation from an attorney and not someone with actual knowledge that:

1. Caliber Home Loans, Inc. is the servicing agent for U.S. Bank; and
2. That the debtor's plan does not provide for the full repayment of sums due in arrears on his mortgage.

WHEREFORE, your declarant prays for an order of this court denying the objection to confirmation.

Dated: Carmel, New York
October 23, 2017

/s/ Francis J. O'Reilly, Esq.
1961 Route 6
Carmel, N Y10512
(845) 225-5800 – Telephone
(845) 225-5906 – Facsimile
foreilly@verizon.net